

7/1645 Docket No. 3828-4001US1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JUN 0 7 2062

Applicant(s):

Cohava GELBER

Group Art Unit:

1645

TECH CEN Î ER 1600/2900

Serial No.:

10/015,728

Examiner:

To Be Assigned

Filed:

November 1, 2001

For:

MONOCLONAL ANTIBODIES AND CELL SURFACE ANTIGENS FOR THE

DETECTION AND TREATMENT OF SMALL CELL LUNG CANCER (SCLC)

**EXPRESS MAIL CERTIFICATE** 

Express Mail Label No.:

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Date of Deposit:

May 30, 2002

I hereby certify that the following attached paper(s) and/or fee

- Information Disclosure Statement (IDS) (3 pages):
- PTO-1449 Form listing 4 references (1 page);
- 3. Copies of 4 references listed on Form PTO-1449:
- 4. Return Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Commissioner for Patents, Washington, DC 20231

Jafet N. Cotto

(Typed or printed name of person mailing papers(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

Correspondence Address:

MORGAN & FINNEGAN, L.L.P. 345 Park Avenue New York, NY 10154-0053 (212) 758-4800 Telephone (212) 751-6849 Facsimile

Docket No. 3828-4001US1

THE UNITED STATES PATENT AND TRADEMARK OFFICE RECEIVED

Applicant(s): Cohava GELBER

Group Art Unit: 1645

JUN 0 7 ZUUZ

Serial No.:

10/015.728

TECH CENTER 1600/2900

10/013,720

Examiner:

To Be Assigned

Filed:

November 1, 2001

For:

MONOCLONAL ANTIBODIES AND CELL SURFACE ANTIGENS FOR THE

DETECTION AND TREATMENT OF SMALL CELL LUNG CANCER (SCLC)

## <u>INFORMATION DISCLOSURE STATEMENT</u>

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97

Commissioner for Patents Washington, DC 20231

Sir:

and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching. 1. For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed: For each of the following items listed on the enclosed copy of Form PTO-1449 that is 2. not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in application Serial No. \_\_\_\_\_, filed No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with: 37 C.F.R. §1.97(b)(1), within three months of the filing date of a national

application other than a CPA; or

		37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application; or
	$\boxtimes$	37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits; or
		37 C.F.R. §1.97(b)(4) before the mailing date of a first office action after the filing of an RCE under §1.114.
5.	since in para Allow	e is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement t is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified agraph 4 above but before the mailing date of a final action or a Notice of ance (where there has been no prior final action), and is accompanied by one of tifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6.	it is be paragr	is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since sing filed in compliance with 37 C.F.R. §1.97(c), after the period specified in aph 4 above but before the mailing date of a final action or a notice of since (where there has been no prior final action):
		A check in the amount of \$180.00 is enclosed in payment of the fee.
		Charge the fee to Deposit Account No. <u>13-4500</u> , Order No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
7.	it is be action	is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since sing filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a fina or a notice of allowance, whichever comes first, but before payment of the issued is accompanied by:
		ne of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 elow; and
		e fee due under 37 C.F.R. §1.17(p) which is paid as set forth in paragraph 11 elow.
8.		s due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since ing filed in compliance with:
	a. 🗌	37 C.F.R. §1.313(b)(3) or §1.313(c)(1), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h);
	b. 🗌	37 C.F.R. §1.313(c)(2) or §1.313(c)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Request for Continued Examination (RCE) or a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h).

	c. The fees due under 37 C.F.R paragraph 11 below.	. §§1.17(h) and 1.17(p) are paid as set forth in					
9.	I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.						
	filed herewith was cited in a commu counterpart foreign application or, to	mation in the Information Disclosure Statement nication from a foreign patent office in a my knowledge after making reasonable inquiry, ated in §1.56(c) more than three months prior to the Statement.					
10.	This document is accompanied by cited in a corresponding PCT or	a Search Report Communication which was Foreign counterpart application					
11.	A check in the amount of \$ is C.F.R. §§1.17(h) and 1.17(p).	- ·					
		§§1.17(h) and 1.17(p) to Deposit Account No. LICATE COPY OF THIS SHEET IS					
X	The Commissioner is hereby authorized to charge any additional fees which may required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. <u>13-4500</u> , Order No. <u>3828-4001US1</u> . A DUPLICATE COP THIS SHEET IS ATTACHED.						
		Respectfully submitted, MORGAN & FINNEGAN, L.L.P.					
Dated: <u>N</u>	May 30, 2002 By:	Leslie A. Serunian Registration No. 35,353					
Correspo	ondence Address:						
	AN & FINNEGAN, L.L.P.						
	k Avenue ork, NY 10154-0053						
	58-4800 Telephone						
	51-6849 Facsimile						

	Page	1	of	1
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FORM PTO-1449 TRADEM

Serial No.: Attorney Docket: 3828-4001US1 10/015,728 Applicant:

RECEIVED JUN 0 7 2002

INFORMATION DISCLOSURE CITATION

Cohava GELBER Filing Date:

Group Art Unit: TECH CENTER 1600/2900

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			U.S. PA	ATENT DOCUMENTS			<u> </u>
Examiner Initial		Patent Number	Issue Date	Name	Class	Sub- Class	Filing Date
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			FORFICN	PATENT DOCUMENTS			
Examiner Initial			Publication Date	Country	Class	Sub- Class	Translation
						-	☐ Yes ☐ No
							Yes No
	·						☐ Yes ☐ No
							☐ Yes ☐ No
							☐ Yes ☐ No
<del> </del>		OTHER DO	CUMENT	TS (Including Author, Title	, Date, etc.)	<u> </u>	
	1		53 Antibodi	ies in the Sera of Patients wit		of Cancer:	A Review",
	2	A.O. Güre et al., 2000, "Serological identification of embryonic neural proteins as highly immunogenic tumor antigens in small cell lung cancer", PNAS, USA, Vol. 97 (8):3783-4410.					
	3	S. Zöchbauer-Müller et al., 2002, "Molecular Pathogenesis of Lung Cancer", Annual Review of Physiology, 64:681-708.					
	4	F.P. Worden et al., 2000, "Therapeutic advances in small cell lung cancer", Exp. Opin. Invest. Drugs 9 (3):565-579.					
Examiner				Date Considered			
EXAMINEF				er or not citation is in conformance and not considered.	mance with MPEI	P §609.	
	Include	copy of this form with	next comm	nunication to Applicant.			